

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Antonio Augustus Boone

Docket No. 4:06-CR-5-2F

Petition for Action on Supervised Release

COMES NOW Tuell Waters, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Antonio Augustus Boone, who, upon an earlier plea of guilty to Conspiracy to Distribute and to Possess with the Intent to Distribute More Than 50 Grams of Cocaine Base (Crack) and a Quantity of Cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on August 11, 2006, to the custody of the Bureau of Prisons for a term of 242 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 5 years. On August 3, 2009, the court reduced the sentence to 194 months. On January 14, 2014, the defendant received a sentence reduction to 155 months, and on April 23, 2015, the court reduced the defendant's sentence to 130 months. Each sentence reduction was pursuant to 18 U.S.C. § 3582(c)(2).

Antonio Augustus Boone was released from custody on October 30, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On February 11, 2017, the defendant was charged by the Windsor Police Department in Windsor, North Carolina, with Driving While License Revoked and Resisting Public Officer. Boone was released on a \$500 secured bond and the matter remains pending in Bertie County (17CR50067). According to the Windsor Police, the defendant backed up his vehicle from a traffic checking station the police department was operating and accelerated rapidly into a residential area in attempt to circumvent the police officers, who pursued him. Boone exited his car and ran on foot for a short distance; however, when the arresting officer verbally commanded Boone to stop, he did so and completely complied with officers from that point. The defendant reported the incident to the probation officer and has accepted responsibility for his actions. In view of these circumstances, it is respectfully recommended that the court will impose a curfew restricting the defendant to his residence every Friday through Sunday for 30 days. This sanction will adequately address the violation conduct while allowing Boone to maintain employment which requires him to work out of town Monday through Thursday. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall adhere to a weekend curfew as directed by the probation officer for a period not to exceed 30 days. The defendant is restricted to his residence each Friday through Sunday. The defendant shall submit to the following Location Monitoring: Radio Frequency monitoring and abide by all program requirements, instructions and procedures provided by the supervising officer. The defendant must pay all of the cost of the program.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Tuell Waters
Tuell Waters
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2344
Executed On: March 15, 2017

ORDER OF THE COURT

Considered and ordered this 16 day of March, 2017, and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge